

SENTENCING COURTROOM MINUTE SHEET

(Courtroom #304)

DATE 12/21/2016

CASE NO. CR-14-306-M STYLE: USA v. Michael Dean Billings

COMMENCED: 10:10 a.m. ENDED: 11:20 a.m. TOTAL TIME: 1 hour 10 minutes

JUDGE Vicki Miles-LaGrange

Deputy: Kathy Spaulding

Reporter: Sherri Grubbs

Plf Counsel: David Petermann Dft Counsel: Danny White

Probation Officer: Joel Vandruff Interpreter: N/A

SENTENCING MINUTE: Dft appears in person with counsel. PSR reviewed by govt's cnsl, dft's cnsl and defendant. Defendant's objections to Presentence Report heard.

☒ Indictment dismissed upon motion of the government

Defendant is sentenced to the custody of the Bureau of Prisons for a term of 168 months.

Upon expiration of sentence imposed herein, dft shall serve a term of supervised release of 5 years.

Defendant to abide by following conditions of supervised release:

- ☒ Within 72 hours of release from custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released.
- ☒ The defendant shall comply with the standard conditions of supervision adopted by this Court and shall not possess a firearm or other destructive device and shall cooperate in the collection of DNA, as directed by law.

SPECIAL CONDITIONS:

- ☒ The Court is not imposing community service
- ☒ The defendant shall submit to a sex offender mental health assessment and a program of sex offender mental health treatment, as directed by the U.S. Probation Officer, until such time as the defendant is released from the program by the probation officer. This assessment and treatment may include a polygraph to assist in planning and case monitoring. The defendant may be required to contribute to the cost of services rendered (copayment) in an amount to be determined by the probation officer, based on the defendant's ability to pay. Any refusal to submit to such assessment or tests as scheduled is a violation of the conditions of supervision.
- ☒ The defendant shall waive all rights to confidentiality regarding sex offender mental health treatment in order to allow release of information to the supervising probation officer and to authorize open communication between the probation officer and the treatment provider.
- ☒ The defendant shall not be associated with children under the age of 18 except in the presence of a responsible adult who is aware of the defendant's background and current offense, and who has been approved by the U.S. Probation Officer.

- ☒ The defendant shall register pursuant to the provisions of the Sex Offender Registration and Notification Act, or any applicable state registration law. The defendant shall submit his person, and any property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects to search at any time, with or without a warrant, by any law enforcement or probation officer with reasonable suspicion concerning a violation of a condition of probation or unlawful conduct by the person, and by any probation officer in the lawful discharge of the officer's supervision functions.
- ☒ The defendant shall consent to the U.S. Probation Officer conducting periodic unannounced examinations, without individual showing of reasonable suspicion, on any computer equipment used by the defendant. The examination may include assistance of other law enforcement agencies. This may include retrieval and copying of all data from the computer and any internal or external peripherals to ensure compliance with his conditions and/or removal of such equipment for the purpose of conducting a more thorough inspection, and allow at the direction of the probation officer, installation on the defendant's computer, at the defendant's expense per co-payment policy, any hardware or software systems to monitor the defendant's computer use. The defendant shall comply with a Computer Monitoring and Acceptable Use Contract, which includes a requirement that the defendant use a computer compatible with available monitoring systems. The defendant shall have no expectation of privacy regarding computer use or information stored on the computer. The defendant shall warn any other significant third parties that the computer(s) may be subject to monitoring. Any attempt to circumvent monitoring and examination may be grounds for revocation.
- ☒ The defendant shall have no contact, directly or indirectly, with any and all victims of the offense.
- ☒ The defendant must submit to a search of his person, property, electronic devices, or any automobile under his control to be conducted in a reasonable manner and at a reasonable time, for the purpose of detecting evidence of sex trafficking activities at the direction of the probation officer upon reasonable suspicion. Further, the defendant must inform any residents that the premises may be subject to a search.

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- ☒ Fine waived due to dft's inability to pay a fine.
 - ☒ Defendant Ordered to pay special assessment of \$100.00 due immediately.
 - ☒ Defendant is advised of right to appeal.
 - ☒ Court recommends that the dft be incarcerated at a facility that has physical rehabilitation available.
 - ☒ Court recommends that dft participate in the Inmate Financial Responsibility program, while incarcerated, at a rate determined by Bureau of Prisons staff in accordance with the requirements of the Inmate Financial Responsibility program.
 - ☒ The Court recommends that the defendant participate in the Sex Offender Treatment Program while incarcerated, if eligible.
 - ☒ The defendant is REMANDED to the custody of the U.S. Marshal